

**Breene, John**

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**Fr m:** John Rogitz [john@rogitz.com]  
**Sent:** Wednesday, August 02, 2006 2:12 PM  
**T :** Dwyer, James  
**Cc:** Edmund H Mizumoto; Pete Tennent; Lynne Anderson; Breene, John  
**Subject:** 09/390,154 (AM9-99-0080)

Jim, Ed Mizumoto of IBM and I had a productive conversation with John Breene today regarding the subject patent application in which we agreed to some minor claim amendments for 101 purposes. John also gave us his views on a reference (Messerly) that was previously of record and his opinion that the claims are patentable over it, and then indicated that with the 101 issues cleared by the examiner's amendment to which we agreed on the phone, the case would be passed to allowance.

I very much appreciate your and John's help on this.

Best regards, John  
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8/3/06